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REMARKS

The allowance of claims 3, 4 and 6-13 is noted and appreciated.

The conditional allowance of claim 20 is noted and appreciated. Claim 20 has been rewritten in independent form to remove the Examiner's objection. Thus claim 20 is now allowable.

Claims 2, 15 and 18 are now rejected under 35 USC § 102 as anticipated by U.S. Patent No. 3,182,282 to Turner, hereafter Turner.

Turner discloses an electrical connection comprising an electrical blade contact (i.e. terminal) 1 that is attached to an insulated conductor 2 in a rather conventional manner as shown in figure 1 of the Turner patent. The attachment is then overmolded to form a common household plug 3 shown in figures 12 and 13.

The Turner terminal 1 per se, which is shown in figures 2, 3, 4 and 5, comprises a contact portion 4 (constituting about one half of the terminal) and a shank portion 17 (constituting the remaining half of the terminal). The shank portion 17 is used for attaching the terminal to the insulated conductor 2.

The contact portion 4 is formed as best shown in figures 2, 3, 4 and 5.

The shank portion 17 as best shown in figures 2, 3, 4 and 6 includes a U-shaped base section 19 and a series of spaced apart pairs of fingers 21a, 21b, 21c and 21d. The fingers 21a-21d are curled over toward each other (as shown by way of example for fingers 21b in Fig. 8), to pierce the insulation of the insulated conductor 3 and form a ferrule with a traverse gap 23 disposed between each adjacent pair of fingers. (Turner specification column 3, lines 65-71). To help assure an effective insulation piercing connection between terminal 1 and the insulated conductor 3, the bight part of base section 19 is formed with a series of four insulation piercing ridges or notches 27a-27d, respectively, which together form a corrugated surface. (Turner specification column 4, lines 27-32). The ridges 27a-27d are beneath the respective pairs of fingers 21a-21d to assure insulation piercing and *engagement* with the multi-stranded conductive core (unnumbered) of the insulated conductor 3 as best shown in figure 9. The fingers 21a-21d vary in length while the fingers 121a-121d in the alternate embodiment shown in figures 10 and 11 are all the same length.

The rejection of claims 2, 15 and 18 under 35 USC § 102 as anticipated by Turner is respectfully traversed.

The claims in question call for “an elongated solid conductor having a longitudinally extending groove, a terminal having at one end a base portion, ...the base portion engaging the solid conductor.”

The Examiner is reading the claims on the Turner terminal 1 per se. The Turner terminal 1 cannot be two claim elements. The Turner terminal 1 cannot be both the claimed elongated solid conductor and the claimed terminal. Turner simply fails to disclose an elongated solid conductor as defined in the rejected claims. This is best realized in the rejection of method claim 15 which has not been applied to Turner in any specific manner. To meet method claim 15, one must provide the Turner terminal 1 twice which is an absurd interpretation of method claim 15.

Moreover, the Turner terminal 1 does not have any base portion *engaging any solid conductor*. The Turner base portion 19 *engages* the multi-stranded conductor core of the insulated conductor 3 as clearly shown in figures 8 and 9 of Turner and described beginning at line 32, column 4 of Turner. The base portion 19 of the one piece Turner terminal 1 does not *engage* the contact portion 4 of the one piece Turner terminal 1 in any sense of the word *engage*. See attachment A for the definition of engage.

“For a prior art reference to anticipate in terms of 35 U.S.C. § 102, every element of the claimed invention must be identically shown in a single reference”...*In re Bond*, 910 F.2d 831, 15 USPQ2d 1566 (Fed. Cir. 1990)

Since, the Turner patent does not disclose either an elongated solid conductor or a terminal engaging a solid conductor, claims 2, 15 and 18 are not anticipated by the Turner patent.

The rejection of claim 19 under 35 USC § 103 as obvious in view of Turner is respectfully traversed.

The rejection of claim 19 is improper for at least three reasons. First, the Turner patent does not disclose or suggest a terminal that engages a solid conductor as pointed out above. Secondly, the shank portion 17 of Turner *terminal* 1 that the Examiner erroneously regards as the claimed portion of the claimed *elongated solid conductor* with a V-shaped cross section is not part of an *elongated solid conductor* as pointed out above. Thirdly a prima facie case of obviousness has not been made out. The Examiner has not stated any reason why any V-shaped groove of an

elongated solid conductor is obvious in view of a U-shaped groove of a shank portion of a terminal. The Examiner has merely cited a *per se* rule of the *Dailey* case.

“The use of *per se* rules, while undoubtedly less laborious than a searching comparison of the claimed invention – including all its limitations – with the teaching of the prior art flouts section 103 and the fundamental case law applying it.” *In re Ochiai*, 37 USPQ2d 1127 (Fed. Cir. 1995).

It is not incumbent upon applicant to show the significance of the V-shaped groove in the elongated solid conductor. It is incumbent upon the Examiner to make out a *prima facie* case of obviousness. The Examiner has failed to make out such a case. Consequently claim 19 must be considered patentable under 35 USC § 103.

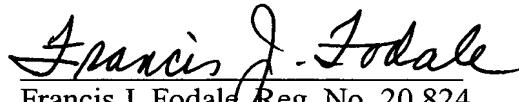
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, Virginia 22313-1450 on April 8, 2004.


Noelle Constantinou

Respectfully submitted,

REISING, ETHINGTON,
BARNES, KISSELLE, P.C.


Francis J. Fodale Reg. No. 20,824

P.O. Box 4390
Troy, Michigan 48099-4390
(248) 689-3500



Attachment

- A -

Webster's II

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engage: -gaged, -gaging, -gages. [ME enagen, to pledge something as security for repayment of debt < OFr. engager : en-, in (<Lat. In-) + gage, pledge, of Germanic orig.] -vt. 1. To obtain or contract for the use of : EMPLOY <engage an architect> 2. To contract for the use of : RESERVE <engage a car> 3. To obtain and hold the attention of : ENGROSS <engaged the children's full support> 4. To require the use of : OCCUPY <Training engages most of an athlete's time.> 5. To promise, esp. to marry. 6. To enter or bring into conflict with <We have engaged the enemy.> 7. To interlock or cause to interlock : MESH. 8. To win : attract. 9. To involve : entangle <engaged me in their silly quarrel> 10. Archaic. To give or take as security. -vi. 1. To involve oneself or become occupied : PARTICIPATE <engage in a discussion> 2. To assume an obligation : AGREE. 3. To enter into conflict or battle. 4. To become meshed or interlocked.